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SUBJECT: COLOGNE "TRAIN BOMBER" INDICTMENT REACHES D\SSeldorf HIGHER REGIONAL COURT

REF: 06 DUSSELDORF 0015

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¶1. (U) Almost eleven months after two Lebanese nationals unsuccessfully tried to blow up two regional trains originating in Cologne, the Federal Public Prosecutor on June 11 brought criminal charges against one of the men, Youssef Mohammad El-Hajdib. German police arrested the 22-year old El-Hajdib in August 2006 and he has been in pre-trial detention ever since. (The other suspect, Jihad Hamad, a former resident of Cologne, escaped to Lebanon and was to face trial there). Prosecutors charged El-Hajdib with multiple counts of attempted murder for placing one of the suitcases containing IEDs on a train July 31, 2006. The Federal Prosecutor said El-Hajdib was attempting to retaliate for the publication of the controversial Mohammed caricatures some German newspapers republished earlier that year. The bombs did not go off due to a technical failure, the Prosecutor reported.

¶2. (SBU) Before the trial can begin, the court must approve the indictment, which -- due to the current court recess -- is unlikely before September. The presiding judge dealing with the train bomber case told the CG June 22 that the trial itself would probably not open until the end of 2007 because the court is handling another major terrorist trial involving al-Qaida supporters Iraqi National Ibrahim Mohamed Khalil and Palestinian brothers Yasser Abu Shaweesh and Ismail Abu Shaweesh (refftel) and is expecting a verdict to that case this fall.

¶3. (SBU) The President of the Higher Regional Court of Duesseldorf and the head judge who will likely preside over this case told us this court was chosen because of the North Rhine-Westphalia (NRW) connection and the court's experience and expertise in terrorism trials.

¶4. (U) This message was coordinated with Embassy Berlin.

BOYSE